

CITY COUNCIL
CITY OF WICHITA

K A N S A S

City Council Meeting-Workshop
9:30 A.M., February 28, 2006

First Floor Board Room
455 North Main

ORDER OF BUSINESS

- Call to Order
- Approve the minutes of the February 14, 2006 meeting

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated February 27, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
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Kimberly A. Gibson	WBG, LLC dba Braeburn Golf Course at WSU*	4201 East 21 st Street
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<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
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Stephen Diehl	Dillon Store #12	9450 East Harry
Stephen Diehl	Dillon Store #16	8828 West 12 th Street
Stephen Diehl	Dillon Store #21	5500 East Harry
Stephen Diehl	Dillon Store #26	1227 South Hydraulic
Stephen Diehl	Dillon Store #30	2525 West Douglas
Stephen Diehl	Dillon Store #31	1640 South Broadway
Stephen Diehl	Dillon Store #33	4747 South Broadway
Stephen Diehl	Dillon Store #34	3432 West 13 th Street
Stephen Diehl	Dillon Store #35	6297 East 13 th Street North
Stephen Diehl	Dillon Store #42	4801 East Central
Stephen Diehl	Dillon Store #49	10222 West 21 st Street North
Stephen Diehl	Dillon Store #56	3707 North Woodlawn
Stephen Diehl	Dillon Store #62	1435 North Waco
Stephen Diehl	Dillon Store #65	3214 South Seneca
Stephen Diehl	Dillon Store #66	2244 North Rock Road

Stephen Diehl	Dillon Store #72	10515 West Central
Stephen Diehl	Dillon Store #249	3418 North Maize Road
Rick W. Brazile	Wal-Mart Supercenter #1099	501 East Pawnee
Rick W. Brazile	Wal-Mart Supercenter #3492	14111 East Kellogg
Mark Branham	Quik Trip #315	1500 South Maize
Mark Branham	Quik Trip #396	324 South West
<u>New Operator</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Steven T. Knolla	Knolla's Pizza East LLC*	7732 East Central Suite 123
Onesy Youthsavath	Buffet Delight, Inc.*	3205 East 31 st Street
<u>New Operator</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Saeed Mansouri	Aria Enterprises	5562 S. Seneca

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

3. Preliminary Estimates:

- a) 2006 Sanitary Sewer Rehabilitation, Phase A - between 24th Street North and 47th Street South, & between Seneca and Rock Road. (468-84144/620450/666569) Traffic to be maintained during construction using flag persons and barricades. (District I, II, III, VI) - \$326,000
- b) 2006 Contract Maintenance Asphalt Bike Path Repair & Overlay - Bike Paths throughout Wichita. (472-84287/132719) Traffic to be maintained during construction using flag persons and barricades. (District II, VI) - \$100,000
- c) Paving, Drainage and Water Improvements for Harry, from K-42 to Meridian (472-84001/706900/204366) Traffic to be maintained during construction using flag persons and barricades. (District IV) - \$1,400,000
- d) Lateral 5, Main 16, Four Mile Creek Sewer to serve Cross Pointe Addition - south of 21st Street North, east of Greenwich. (468-84044/744167/480855) Does not affect existing traffic. (District II) - \$130,000
- e) Water Distribution System to serve Cross Pointe Addition - south of 21st Street North, east of Greenwich. (448-90083/735299/470970) Does not affect existing traffic. (District II) - \$86,000
- f) Triple Crown from the east line of Lot 12, Block 6, to the south line of Equestrian Estates Addition; Mustang Street, Mustang Court and Mustang Circle adjacent to Lots 24 through 44, Block 2; Equestrian Circle adjacent to Lots 45 through 54, Block 2; Equestrian Court, Equestrian Street and Equestrian Circle adjacent to Lots 16 through 30, Block 6 to serve Equestrian Estates Addition - south of Harry, east of 127th Street East. (472-83430/765969/490084) Does not affect existing traffic. (District II) - \$610,000
- g) Storm Water Drain #179 to serve Equestrian Estates Addition - south of Harry, east of 127th Street East. (468-83319/751410/485301) Does not affect existing traffic. (District II) - \$125,000
- h) Water Distribution System to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (448-90142/735292/470963) Does not affect existing traffic. (District II) - \$137,000

(Item 3 continued)

- i) Water Distribution System to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (448-90154/735297/470968) Does not affect existing traffic. (District II) - \$73,000.00
- j) Lateral 386 Four Mile Creek Sewer to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (468-84102/744162/480850) Does not affect existing traffic. (District II) - \$164,000
- k) Lateral 388 Four Mile Creek Sewer to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (468-84104/744163/480851) Does not affect existing traffic. (District II) - \$530,000
- l) Sanitary Sewer Improvements in Central, from Woodlawn to Rock Road (468-83729/620341/662464) Traffic to be maintained during construction using flag persons and barricades. (District II) - \$538,000
- m) Cost of Lateral 21, Main 19 Southwest Interceptor Sewer to serve North Ridge Village Addition (District V) (468-83977/744126/480-814) – Total Estimated Cost \$150,000

RECOMMENDED ACTION: Receive and file.

4. Deeds and Easements:

- a) Utility Easement dated January 12, 2006 from Prairie View Inc., a Kansas not for profit corporation, located over a portion Lot 5, Block 1, Legacy Park Wilson Estates 2nd, an addition to Wichita, Sedgwick County, Kansas (OCA #607861) No cost to City.
- b) Utility Easement dated January 25, 2006 from Wichita West RE, LLC, located over a portion Lot 2, Block 1, Newmarket Square Phase II, an addition to Wichita, Sedgwick County, Kansas (OCA #607861) No cost to City.
- c) Public Utility Easement dated December 30, 2005 from Delbry Development LLC, located over a portion Lots 11 and 12, Block A, Killarney Plaza East, an Addition to Wichita, Sedgwick County, Kansas (OCA #607861) No cost to City.
- d) Utility Easement dated December 30, 2005 from Brighton Courts, LLC, a Kansas Limited Liability Co. located over a portion of Lots 16 and 17, Block 1, Brighton Courts Addition, an addition to Wichita, Sedgwick County, Kansas (OCA #607861) No cost to City.
- e) Utility Easement dated December 30, 2005 from C.V.C. Wichita Associates, L.L.C. a Kansas Limited Liability Co. located over a portion of Lot 5, Block 1, Legacy Park Wilson Estates Addition to Wichita, Sedgwick County, Kansas (OCA #607861) No cost to City.
- f) Drainage and Utility Easement dated December 30, 2005 by COF, LLC, a Kansas limited liability company located over portions of Lots 3 and 4, Block 1, North Ridge Village Addition, an addition to Wichita, Sedgwick County, Kansas (OCA #607861) No Cost to City.
- g) Dedication dated November 29, 2005 from Kansas Bait & Tackle, LLC, a Kansas limited liability company AND ALSO, COF, LLC, a Kansas limited liability company located over a portions of Lots 4 and 5, Block 1, North Ridge Village Addition, an addition to Wichita, Sedgwick County, Kansas (OCA#607861) No Cost to City.
- h) Utility Easement dated January 20, 2006 from Slawson East Inc., a Kansas Corporation of the first part, located over a portion of Lot 6, Block 1 in Cross Pointe, an addition to Wichita, Sedgwick County, Kansas (OCA# 744167) No Cost to City.

(Item 4 continued)

- i) Sanitary Sewer Easement dated February 3, 2006 from Suzanne L. Nail and Larry J. Nail, Jr., located over a portion Lot 18, Block D, McEvoy Addition, Sedgwick County, Kansas (OCA #744132) No Cost to City.
- j) Sanitary Sewer Easement dated February 3, 2006 from Dennis A. Comstock and Sharon L. Comstock, located over a portion Lot 12, Block D, McEvoy Addition, Sedgwick County, Kansas (OCA #744132) No Cost to City.
- k) Sanitary Sewer Easement dated January 4, 2006 from Eugene M. Hirsch, Jr. and Carol S. Hirsch, located over a portion Lot 9, Block D, McEvoy Addition, Sedgwick County, Kansas (OCA #744132) No Cost to City.
- l) Sanitary Sewer Easement dated January 6, 2006 from Rodney A. Voth, located over a portion Lot 19, Block D, McEvoy Addition, Sedgwick County, Kansas (OCA #744132) No Cost to City.
- m) Sanitary Sewer Easement dated January 5, 2006 from Robert A. & Raye Lea Beardslee, located over a portion Lot 13, Block D, McEvoy Addition, Sedgwick County, Kansas (OCA #744132) No Cost to City.

RECOMMENDED ACTION: Accept documents.

5. Petitions for Public Improvements:

- a) Construct a Sanitary Sewer in North Ridge Village Addition, north of 37th Street North, west of Ridge. (District V)
- b) Water Distribution System for an unplatted tract located west of Greenwich, south of 21st Street. (District II)
- c) Construct a Sanitary Sewer in Eberly Farms Addition, east of 135th Street West, south of 21st Street. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

6. Minutes of Advisory Boards/Commissions:

Wichita Employees' Retirement Board, Regular Board Meeting, November 16, 2005
Police & Fire Retirement System, Regular Board Meeting, December 21, 2005
Wichita Employees' Retirement Board/ Police & Fire Department Retirement Board
District III Advisory Board, January 4, 2006
Joint Investment Committee, January 5, 2006
District II Advisory Board, January 9, 2006
District VI Advisory Board, January 9, 2006
Board of Code Standards and Appeals, January 9, 2006
Design Council, January 18, 2006

RECOMMENDED ACTION: Receive and file.

7. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

8. Report on Claims Allowed for January 2006:

<u>Name of Claimant</u>	<u>Amount</u>
Fulton, Richard	\$2,172.46
Goff, Julie	\$428.99
Hedrick, Judy	\$7,881.01
Kitchen, Kenneth	\$92.50
Magic Touch Auto Center	\$350.00
Morgan, Sarah	\$1,084.14
Turner, Sarah	\$1,645.20
Weber, John	\$880.00

RECOMMENDED ACTION: Receive and file.

9. Agreements/Contracts:

- a) Respread Assessments, Tyler's Landing Third Addition, south of 37th Street North, east of Tyler Road. (District V)
- b) Contract for Worker's Compensation Medical Services.
- c) 13th Street North from K-96 Bypass to 159th Street East. (District II)-supplemental.
- d) Construction Engineering and staking in Auburn Hills 16th Addition, south of Maple, east of 151st Street West. (District V)-supplemental.
- e) The intersection of Maple and Ridge. (District V)-supplemental.
- f) Aesthetic Improvements in Old Town. (District VI)
- g) Equus Beds Aquifer Storage and Recovery Project, Phase 1.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

10. Design Service Agreements:

- a) Clifton Cove Addition, south of 63rd Street South, west of Clifton. (District III)
- b) Fontana and Fontana Second Addition, east of 119th Street West, north of 29th Street North. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

11. Change Orders.

- a) Sewage Treatment Plant One Switchgear Replacement.
- b) Sewage Treatment Plant One Modifications.
- c) Meridian Improvement between 31st Street South and Pawnee. (District IV)
- d) Street paving in Shadow Woods Addition, west of 135th Street West, north of Maple. (District V)
- e) Water Distribution System in Northridge Plaza Addition, north of 37th Street North, west of Ridge. (District V)

RECOMMENDED ACTION: Approve the Change Orders and authorize the necessary signatures.

12. Property Acquisitions:

- a) 3912 East Mt. Vernon for the Dry Creek Basin Property Acquisition Project. (District III)
- b) Four Acre permanent easement for Integrated Local Water Supply Plan. (Harvey County)
- c) Utility Easement at 2121 North 135th Street West for the North Area Sewer Project. (District V)
- d) Pumping Station site for Integrated Local Water Supply Plan.

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

13. Narcotic Seizure Fund Budget.

RECOMMENDED ACTION: Adopt the budget for the Narcotic Seizure Fund and authorize expenditures from the DEA Reimbursement Account.

14. Sale of Vacant Lot in the 800 Block of North Springdale. (District II)

RECOMMENDED ACTION: Approve the disposition and authorize the necessary signatures.

15. Repair or Removal of Dangerous and Unsafe Structures. (Districts I, II and VI)

<u>Property Address:</u>	<u>Council District:</u>
a. 1218 North Cleveland	I
b. 1316 North Kansas	I
c. 1456 North Piatt	I
d. 1513 North Grove	I
e. 2105 North Minnesota	I
f. 2547 Raleigh	I
g. 1627 South Lulu	I
h. 3003 North Salina	VI
i. 15300 East Kellogg (U.S. 54)	II

RECOMMENDED ACTION: Adopt the resolutions to schedule a Hearing and place these matters on the agenda for a Hearing before the Governing Body on April 11, 2006 at 9:30 a.m. or soon thereafter.

16. 2006 Community Services Block Grant Application.

RECOMMENDED ACTION: Approve the 2006 CSBG application and authorize the necessary signatures.

17. Justice Assistance Grant.

RECOMMENDED ACTION: Approve the Memorandum of Understanding and authorize the necessary signatures.

18. Aerial Photography Services Update.

RECOMMENDED ACTION: Approve the Contract with Kuccera International, Inc.; adopt the resolution and authorize the necessary signatures.

19. Central Plains Regional Health Care Foundation Contract Amendment.

RECOMMENDED ACTION: Approve the amendment and authorize the necessary signatures.

20. Resolution authorizing Section 5307, 5316, 5317 and CMAQ Grants from the Federal Transportation Administration (FTA).

RECOMMENDED ACTION: Approve the Resolution and authorize the necessary signatures.

(Item 21)

21. U.S. Economic Development Administration Application for Aviation Technical Center Funding.

(ITEM 21 PULLED FROM AGENDA/PER CITY MANAGER 02/27/2006)

22. Second Reading Ordinances: (First read February 14, 2006)

a) Harry Street Improvement from K-42 Highway to Meridian. (District IV)

An Ordinance amending Ordinance No. 46-668 of the City of Wichita, Kansas declaring Harry Street, between K-42 Highway and Meridian (472-84001) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

b) Street Performers.

An Ordinance creating Chapter 10.36, pertaining to street performers and amending Section 5.48.040 and repealing the original of same pertaining to loitering of the Code of the City of Wichita, Kansas.

c) A06-6R-Request by Ronald J. Cornejo, of R.R.M. Properties, L.L.C., to annex land generally located to the west of Greenwich Road, between 21st Street and 13th Street. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas. (A06-06)

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

23. *ZON2004-00024-Extension of time to complete the platting requirement for a zone change from Single-Family Residential and Limited Commercial to Limited Industrial. Generally located northeast of the 347th Street South and Broadway intersection. (District III)

RECOMMENDED ACTION: Approve the one-year platting extension to January 20, 2007.

24. *CUP2002-00038 (DP-67 Amendment #5) and ZON2002-00055-Extension of time to complete the platting requirement for an amendment to the Northborough Community Unit Plan (CUP) and a zone change from General Office and Multi-Family Residential to Office Warehouse. Generally located south of 21st Street North and east of Woodlawn. (District II)

RECOMMENDED ACTION: Approve extension of time to complete platting to June 8, 2006.

25. *CUP2002-00039 (DP-263) and ZON2002-00057-Extension of time to complete the platting requirement for the Woodborough Commercial Community Unit Plan and a zone change from Single-Family to Limited Commercial. Generally located south of Rockhill and east of Woodlawn. (District II)

RECOMMENDED ACTION: Approve extended platting deadline for June 8, 2006.

26. *CUP2003-00052 (DP-268) and ZON2003-00050-Extension of time to complete the platting requirement for the Holland Commercial Community Unit Plan and a zone change from Single-Family and Limited Commercial to General Commercial. Generally located north of Kellogg and west of Tyler. (District V)

RECOMMENDED ACTION: Approve the extended platting deadline of June 8, 2006.

27. *VAC2005-00044-Request to vacate a utility easement dedicated by separate instrument. Generally located south of 21st Street North and west of Webb Road. (District II)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

28. *VAC2005-00049-Request to vacate a portion of a platted easement. Generally located south of 21st Street North and west of Webb Road. (District II)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

29. *SUB2005-83-Plat of Marie's Meadow North Addition, located on the northeast corner of 183rd Street West and Pawnee. (County)

RECOMMENDED ACTION: Approve the document and plat and authorize the necessary signatures.

30. *SUB2005-55-Plat of Midland Baptist Church Second Addition, located east of Ridge Road and on the south side of 45th Street North. (County)

RECOMMENDED ACTION: Approve the documents and plat and authorize the necessary signatures.

31. *SUB2005-121-Plat of Reed's Cove Fourth Addition, located on the east side of 127th Street East and south of 21st Street North. (District II)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

32. *DED2006-04-Dedication of Access Control and DED2006-05-Dedication of Street Right-of-Way, for property located east of Seneca and north of 47th Street South. (District IV)

RECOMMENDED ACTION: Accept the Dedications.

33. *SUB2005-98-Plat of Clifton Heights Addition, located east of Hillside and on the north side of 55th Street South. (District III)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

34. *A06-05R-Request by Jay Russell of JRD, LLC, to annex land generally located northwest of the intersection of 55th Street and K-15. (District III)

RECOMMENDED ACTION: Approve the annexation report and place the Ordinance on first reading.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.
*Consent items

35. *2006 Schedule of Fees and Charges and Resolution for Aircraft use of Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Adopt the Schedule of Fees and Charges and the Resolution of the Wichita Airport Authority implementing a schedule of fees and charges for scheduled passenger airlines, all to be retroactively effective to January 1, 2006.

36. *FAA Master Site Lease Supplemental No. 11-Mid-Continent Airport Lease Number DTFA09-90-L-10464.

RECOMMENDED ACTION: Approve the Supplemental Agreement No. 11 and authorize the necessary signatures.

37. *Midfield Road Site Development, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the project budget; adopt the Resolution and authorize the necessary signatures.

38. *Airport Marketing Agency of Record.

RECOMMENDED ACTION: Approve the contract and authorize the necessary signatures.

CITY COUNCIL

39. *Approval of travel expenses for Mayor to meet with State Legislators and to attend Kansas Aviation Industry Reception in Topeka, March 1, 2006.*

RECOMMENDED ACTION: Approve the expenditures.

Workshop to follow